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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DEMICKO BILLIE THOMAS,)
9 Petitioner,) CASE NO. C11-2186RSM
10 v.) ORDER GRANTING MOTION TO
11 MAGGIE MILLER-STOUT) PROCEED PRO SE AND TO WITHDRAW
12 Respondent.) OBJECTIONS
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14 On July 11, 2017, the Honorable Brian A. Tsuchida issued a Report and Recommendation
15 in this matter for consideration by the Undersigned. Dkt. #93. Petitioner then filed Objections,
16 through counsel, and the government filed a Reply to those Objections. Dkts. #94 and #95.

17 On August 11, 2017, Petitioner filed a *pro se* Motion to Withdraw Objections and For
18 Leave to File an Overlength Amended Objections. Dkts. #96 and #97. Because Petitioner
19 remained represented by counsel at that time, the Court informed him that he was unable to act
20 on his own behalf unless or until he made a motion to proceed on his own behalf and such motion
21 was granted. Dkt. #99. As a result, the Court struck Petitioner's motion. *Id.* Petitioner's counsel
22 then moved to re-note Petitioner's habeas petition for consideration, explaining that such
23 extension would allow time for her to consult with Mr. Thomas and determine whether or not he
24 desired to proceed pro se. Dkt. #98. The Court granted the motion. Dkt. #100.

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27 Petitioner has now moved to proceed *pro se* and to withdraw the existing Objections and
28 file his own overlength Objections. Dkt. #101. Petitioner explains:
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AND TO WITHDRAW OBJECTIONS
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1 I find it paramount at this time that I, request to proceed Pro Se, and be
2 afforded with an opportunity to file an objection to the Report and
3 Recommendation, upon my own behalf. As I, am currently serving a 62 year
4 plus, prison sentence; have been litigating for the most part, each and every
5 aspect of my legal proceedings and belief [sic] I, am more familiar with my
6 case than anyone.

7 Dkt. #101-2 at ¶ 3. Petitioner also explains that he has had an opportunity to speak with his
8 counsel about this decision, he understands the gravity of the situation and the significance of
9 proceeding *pro se* versus being represented by counsel, and is ready to accept the responsibility
10 of proceeding *pro se*. *Id.* at ¶ ¶ 3-5.

11 Having reviewed the record, and being convinced that Petitioner understands what it
12 means to proceed in this matter on his own behalf and that he has the ability to litigate his claims,
13 the Court hereby finds and ORDERS:

14 1. Plaintiff's Motion to Withdraw Objections to Report and Recommendation and For
15 Leave to File an Amended Overlength Objection to Report and Recommendation
16 (Dkt. #101) is GRANTED.

17 2. Petitioner is granted permission to proceed *pro se* in this litigation. Petitioner's
18 representation by his attorneys at the Federal Public Defender's Office (Ms. Lai, Ms.
19 Endo and Mr. Filipovic) is hereby TERMINATED effective as of the date of this
20 Order. All further correspondence and briefing in this matter shall be served directly
21 on Petitioner at the address he provided as follows: **Mr. Demicko Billie Thomas,**
22 **Inmate Number 991403 N-A-47-L, Airway Heights Correction Center, P.O. Box**
23 **2049, Airway Heights, WA 99001-2049.**

24 3. In proceeding *pro se*, it is Petitioner's responsibility to be familiar with the Federal
25 Rules of Civil Procedure and the Court's Local Rules, which can be found on the
26 internet at the Court's public website www.wawd.uscourts.gov. It is also Petitioner's
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responsibility to keep the Court and opposing counsel informed of his current contact information.

4. The pending Objections to the Report and Recommendation (Dkt. #94) are WITHDRAWN, and the government's corresponding Reply (Dkt. #95) is STRICKEN AS MOOT.
5. Petitioner shall file his Amended Objections to the Report and Recommendation **no later than November 6, 2017. Those Objections shall be no longer than 20 pages in length.**
6. Given the Thanksgiving holiday in November, the government shall have twenty-one (21) days from the date the Objections are filed to make any Reply. The government will have up to 8 overlength pages if necessary.
7. The pending Report and Recommendation by Judge Tsuchida (Dkt. #93) is **RENOTED for consideration on Friday, December 1, 2017.**

DATED this 4 day of October, 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE